

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A
FILING UNDER 35 U.S.C. 371**

186707/US

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

104537419
Not Yet Assigned

INTERNATIONAL APPLICATION NO.

PCT/CN2003/001025

INTERNATIONAL FILING DATE

01 December 2003 (01.12.2003)

PRIORITY DATE CLAIMED

04 December 2002 (04.12.2002)

TITLE OF INVENTION

THE MICROBIAL PREPARATION & METHOD FOR PREVENTING AND CURING THE BACTERIAL WILT THE PLANT AND ITS USE

APPLICANT(S) FOR DO/EO/US

YUANGUANG LI; WEI WANG; HONGGANG WEI; GUOMIN SHEN; RONGJIN WANG; JIALU DENG; XINZHI SUN; MING SHEN

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not transmitted by the International Bureau).
 - b. ☐ had been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

Return Postcard; Receipt of Biological Material

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5) 10/537419		INTERNATIONAL APPLICATION NO. PCT/CN2003/001025		ATTORNEY'S DOCKET NUMBER 186707/US									
21. The following fees have been submitted: <input checked="" type="checkbox"/> a) Basic national fee \$300.00				CALCULATIONS	PTO USE ONLY								
				\$ 300.00									
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-- 4)..... \$100.00 All other situations..... \$200.00													
				\$ 200.00									
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as an International Searching Authority..... \$100.00 International Search Report prepared and provided to the Office \$400.00 All other situations \$500.00													
TOTAL OF 21, 22 and 23 =				\$ 500.00									
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">Total Sheets</th> <th style="width:15%;">Extra Sheets</th> <th style="width:35%;">Number of each additional 50 or fraction, thereof (round up to a whole number)</th> <th style="width:35%;">RATE</th> </tr> <tr> <td>26 - 100</td> <td>0 /50 =</td> <td>0</td> <td>x \$250.00</td> </tr> </table>				Total Sheets	Extra Sheets	Number of each additional 50 or fraction, thereof (round up to a whole number)	RATE	26 - 100	0 /50 =	0	x \$250.00		
				Total Sheets	Extra Sheets	Number of each additional 50 or fraction, thereof (round up to a whole number)	RATE						
26 - 100	0 /50 =	0	x \$250.00										
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0									
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE									
Total claims		10 -20 =	0	x \$50.00	\$0								
Independent claims		1 -3 =	0	x \$200.00	\$0								
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$								
TOTAL OF ABOVE CALCULATIONS =				\$1000.00									
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$500.00									
SUBTOTAL =				\$500.00									
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0									
TOTAL NATIONAL FEE =				\$500.00									
Fee for recording the enclose assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$0									
TOTAL FEES ENCLOSED =				\$500.00									
				Amount to be refunded:	\$								
				charged:	\$								

- a. ☒ A check in the amount of **\$500.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. **04-1420** in the amount of \$_____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **04-1420** A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038
- NOTE: Where an appropriate time limit under 37 CFR 1.494 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO: **CUSTOMER NUMBER 25763**

Min (Amy) S. Xu
Dorsey & Whitney LLP
Intellectual Property Department
Suite 1500
50 South Sixth Street
Minneapolis, MN 55402-1498

Signature

Name

Min (Amy) S. Xu, Reg. No. 39,536

Registration Number

10/537419
Attorney Docket No. 1867077US

Express Mail Label No. EV 535043844 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JC17 Rec'd PCT/PTO 02 JUN 2005

In re Patent Application of:

Yuanguang Li

Appln. No.: Not Yet Assigned

Filed: Herewith

For: THE MICROBIAL PREPARATION &
METHOD FOR PREVENTING AND
CURING THE BACTERIAL WILT THE
PLANT AND ITS USE

Confirmation No.: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

CERTIFICATE OF MAILING BY EXPRESS MAIL

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies that the following documents:

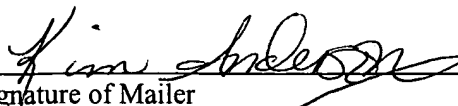
1. Certificate of Mailing by Express Mail;
2. Transmt'l Letter to the U.S. DO/EO/US Concerning a Filing under 35 U.S.C. § 371 (2pgs);
3. Check in the amount of \$500.00 filing fee;
4. Application Data Sheet (3 pgs);
5. Specification (31 pgs); English translation;
6. Front page only of Int'l Pub. No. WO 2004/050861 A1 w/Int'l Search Report as filed in Chinese;
7. Preliminary Amendment (3 pgs.);
8. Executed Oath and Declaration (3 pages);
9. Executed Power of Attorney (1 page);
10. Submission Under 37 C.F.R. 3.73(b) with copy of executed Assignment (2 pgs);
11. Information Disclosure Statement with PTO Form 1449 along with 3 references);
12. Notification of Receipt of Biological Material (1 pg); and
13. Return Postcard.

10/537419

relating to the above application, were deposited as "Express Mail," Mailing Label No. EV
535043844 US with the United States Postal Service, addressed to Mail Stop PCT,
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2nd day of
June, 2005.

JC17 Rec'd PCT/PTO 02 JUN 2005

Kim Anderson
(Mailer)



Signature of Mailer
DORSEY & WHITNEY-LLP
USPTO Customer No. 2576